

July 19, 2023

***Via ECF***

Judge Colleen McMahon  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Re: *Disberry v. Emp. Relations Comm. Of the Colgate-Palmolive Co., et al.*  
Case No. 22-Civ-5778 (CM-OTW)

Dear Judge McMahon:

In a December 19, 2022 Order, Your Honor stated that “Discovery disputes in this case will be resolved by Magistrate Judge Ona Wang. The first time there is a discovery dispute that counsel cannot resolve on their own, notify my chambers by letter and I will sign an order referring your case to the Magistrate Judge for discovery supervision.” ECF 73, at p. 28. I hereby write to request that Your Honor sign an order referring this case to Magistrate Judge Ona for discovery supervision.

The parties are conducting discovery, and there is a discovery cut-off date of Sept. 5, 2023. ECF 89. Plaintiff served Requests for Production of Documents on Defendant Employee Relations Committee of the Colgate-Palmolive Company (the “Committee”) on February 13, 2023 (Set I), and on May 8, 2023 (Set II). The Committee’s production of documents to date is woefully deficient. For example, the Committee has admitted that it did not conduct any searches for emails responsive to the Requests. Plaintiff has engaged in extensive meet and confer efforts to resolve the disputes, and the parties appeared to be making progress toward reaching resolution, including attempts to agree on email search terms and parameters. However, the Committee has continued to ignore Plaintiff’s requests for a date certain for production, and it remains unclear when, if ever, the Committee will produce responsive documents.

Also, Plaintiff served an additional Request for Production of Documents (Set III) on the Committee on May 24, 2023. However, the Committee failed to provide any written response, and it failed to produce any documents in response to this request. Plaintiff has asked for an explanation and a date for the Committee’s response and production, but to date has received none.

Given that counsel have been unable to resolve these disputes on their own, and given that the discovery deadline is quickly approaching, Plaintiff respectfully requests the assistance of Judge Ona to help resolve the parties’ discovery disputes.

Hon. McMahon  
July 19, 2023  
Page 2

Sincerely,

RENAKER SCOTT LLP

A handwritten signature in dark ink, appearing to read "Kirsten Scott", written over a horizontal line.

By:

Kirsten Scott

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